

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IRMA MARTINEZ, FELIPE MARTINEZ,
LARRY MUNN, JOSE PRIETO, and
LEE HUNT, *as personal representative*
of the estate of Abel Portillo, deceased,

Plaintiffs,

vs.

No. 1:17-cv-00922-KWR-JFR

CONTINENTAL TIRE THE AMERICAS,
LLC, *An Ohio Limited Liability Company*

Defendant.

ORDER DENYING PLAINTIFFS' MOTION
TO PERMIT INSPECTION OF CRASH VEHICLE AT TRIAL

THIS MATTER comes before the Court upon Plaintiffs' Motion to Permit Inspection of Crash Vehicle at Trial (**Doc. 623**). Defendant opposes the motion.

Plaintiffs request that during trial the Court and the parties travel to a storage lot to view the crash vehicle in person. The Court does not believe that taking time out of trial to inspect the vehicle in the parking is a good use of the Court's and the parties' time. At primary issue in this case is the alleged failed tire. Plaintiffs assert that viewing the truck in person would be relevant to an expert's crash reconstruction. The Court notes that it would not be practical to take an expert's testimony at the storage lot. Merely viewing the truck in person without the aid of testimony would not assist the Court's decision making. Rather, it would likely be more effective for an expert to reconstruct the crash and describe the condition of the truck from the witness stand while the Court reviews pictures of the truck.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to Permit Inspection of Crash Vehicle at Trial (**Doc. 623**) is **DENIED**.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE